REMARKS

Initially, a petition and fee for a one-month extension of time is separately submitted.

The election/restriction requirement has been carefully reviewed. Restriction to one of the following inventions was required under 35 U.S.C. 121: (I) Claims 1-2, drawn to a process for high throughput screening of binding of ligands to macromolecules involving production of two sample slurries, classified in class 702, subclass 27; and, (II) Claims 3-5, drawn to a process of high throughput screening of binding of ligands to macromolecules involving comparison of one produced sample slurry to a reference followed by mixture division and repetition steps, classified in class 702, subclass 30.

The Office Action stated that the inventions were distinct, each from the other because of the following reasons: Although there are no provisions under the section for "Relationship of Inventions" in M.P.E.P. § 806.05 for inventive groups that are directed to different processes, restriction is deemed to be proper because these methods appear to constitute patentably distinct inventions for the following reasons: Group I and II are directed to processes and methods that recite structurally and functionally distinct elements, are not required one for the other, and/or achieve different goals. Group I requires the initial production of two different slurries which are not required by the other Group. Group II requires comparison of one slurry with a reference followed by mixture division and repetition steps that are not required by the other Group. These distinct processes and methods are often separately characterized and published in literature and would add undue search burden if they were all examined together. Thus, they are considered distinct invention types for restriction purposes.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their divergent subject matter, restriction for examination purposes as indicated is proper.

Applicant was reminded that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicants hereby elect Group I, claims 1-2 without traverse.

A favorable action is solicited.

Respectfully submitted,

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